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CERTIFICATE OF MAILING

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Date of Deposit: 11-22-2004

Signature

Alan F. Feeney

Printed name of person mailing correspondence

Applicant:	CAWTHORNE, M. et al.	Art Unit:	1653
Serial No.:	09/423,683	Examiner:	MOHAMED, Abdel
Filed:	March 20, 2000		
Title:	METHOD OF TREATING HYPERLIPIDEMIA		

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND AUTHORIZATION TO  
CHARGE DEPOSIT ACCOUNT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or  
(Whichever occurs last of the following: within three months of filing national application; within three months of date of entry of the national stage in international application; before the mailing date of first office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination)

☐ under 37 CFR 1.97(c) together with either:  
☐ a Statement under 37 CFR 1.97(e), as checked below, or  
☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:  
☐ a Statement under 37 CFR 1.97(e), as checked below, and  
☐ a Petition under 37 CFR 1.97(d)(2), and  
☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i).  
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☐ Applicant requests that the attached IDS and cited reference(s) ☐ be placed in the application filewrapper.  
(Filed after payment of issue fee)

☒ Some of the listed references were cited in a European Search Report in a counterpart European application or cited in a communication from a foreign patent office in a counterpart foreign application.

- ☐ Enclosed herewith is form PTO/1449 (1 page; reproduced form), with a copy of each reference noted thereon.
- ☒ Enclosed herewith is form PTO/1449 (4 pages; reproduced form), with a copy of non-patent and foreign patent references noted thereon. As per the change to 37 CFR 1.98(a)(2) published in the September 21, 2004 Federal Register and effective as of October 21, 2004, in which the requirement for a copy of each U.S. Patent or U.S. Patent application publication listed in an IDS has been eliminated regardless of the filing date of the application (unless required by the Office), copies of any United States Patent or Patent Publications are not enclosed.
- ☐ Copies of the reference(s) noted on the enclosed form PTO/1449 were previously cited by or submitted to the Patent and Trademark Office in connection with U.S. Application Serial No. [], from which the present application claims benefit under 35 U.S.C. § 120 (37 C.F.R. 1.98(d)). Applicants request that copies of art in U.S. Application Serial No. [] cited on the enclosed PTO/1449 form be transferred to the present U.S. Application Serial No. [].

Concise Explanation Requirement (non-English references):

- ☒ The "concise explanation" requirement for reference(s) [AI, AJ] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☒ the enclosed English language abstracts.

It is requested that the information disclosed herein be made of record in this application, and that the references listed on the enclosed form PTO/SB/08B appear under the "References Cited" heading of any Patent which issues from this application, (MPEP 1302.12).

Statement Under 37 CFR 1.97(e):

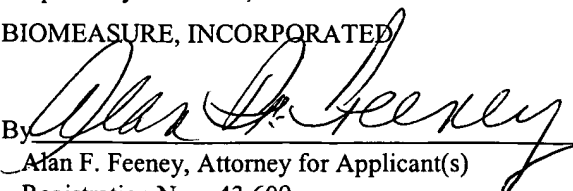
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply.
- ☒ No fee is believed to be due for this submission. However Applicant(s) hereby authorize the Commissioner to charge any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. Two copies of this Statement are enclosed.
- ☒ The Commissioner is hereby authorized to charge any deficiency in fees and credit any overpayment to Deposit Account 50-0590. Two copies of this Statement are enclosed.

Respectfully submitted,

BIOMEASURE, INCORPORATED

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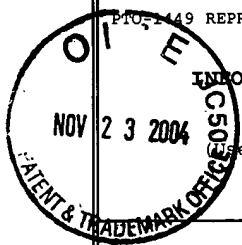
ATTORNEY DOCKET NO.  
00537/163002APPLICATION NO.  
09/423,683INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(See several sheets if necessary)

APPLICANT  
CAWTHORNE, et al.FILING DATE  
March 20, 2000GROUP / EXAMINER  
1653/Mohamed, Abdel

## U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	A	4,133,782	1/1979	Vale, Jr. et al.			
	B	4,146,612	3/1979	Veber			
	C	4,190,575	2/1980	Sarantakis			
	D	4,190,648	2/1980	Veber			
	E	4,209,426	6/1980	Sarantakis			
	F	4,211,693	7/1980	Rivier et al.			
	G	4,215,039	7/1980	Sarantakis			
	H	4,224,199	9/1980	Meyers et al.			
	I	4,235,886	11/1980	Freidinger et al.			
	J	4,238,481	12/1980	Rink et al.			
	K	4,261,885	4/1981	Sakakibara et al.			
	L	4,282,143	8/1981	Sarantakis			
	M	4,291,022	9/1981	Sandrin et al.			
	N	4,310,518	1/1982	Freidinger et al.			
	O	4,316,890	2/1982	Kamber et al.			
	P	4,328,214	5/1982	Rink et al.			
	Q	4,358,439	11/1982	Sieber et al.			
	R	4,360,516	11/1982	Freidinger et al.			
	S	4,369,179	1/1983	Rink et al.			
	T	4,395,403	7/1983	Bauer et al.			
	U	4,435,385	3/1984	Bauer et al.			
	V	4,485,101	11/1984	Coy et al.			
	W	4,486,415	12/1984	Freidinger			
	X	4,522,813	6/1985	Nutt			
	Y	4,585,755	4/1986	Morgan et al.			
EXAMINER				DATE CONSIDERED			



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(See several sheets if necessary)

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## U.S. PATENT DOCUMENTS

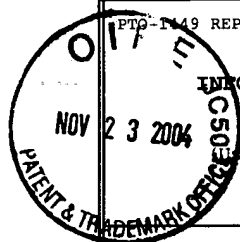
EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	Z	4,603,120	7/1986	Kamber			
	AA	4,650,787	3/1987	Schally et al.			
	AB	4,684,620	8/1987	Hurby et al.			
	AC	4,725,577	2/1988	Schally et al.			
	AD	4,728,638	3/1988	Bauer et al.			
	AE	4,853,371	8/1989	Coy et al.			
	AF	4,871,717	10/1989	Coy et al.			
	AG	4,904,642	2/1990	Coy et al.			
	AH	5,506,339	4/19960	Coy et al.			

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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	AI	0 030 920	6/1981	EP			
	AJ	0 083 305	7/1983	EP			
	AK	0 203 031	11/1986	EP			
	AL	0 329 295	8/1989	EP			
	AM	0 363 589	4/1990	EP			
	AN	0 395 417	10/1990	EP			
	AO	0 505 680	9/1992	EP			
	AP	2 095 261	9/1982	GB			
	AQ	88/02756	4/1988	WIPO			
	AR	88/05052	7/1988	WIPO			
	AS	90/12811	11/1990	WIPO			

EXAMINER

DATE CONSIDERED



NO 1449 REPRODUCED

ATTORNEY DOCKET NO.  
00537/163002APPLICATION NO.  
09/423,683INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

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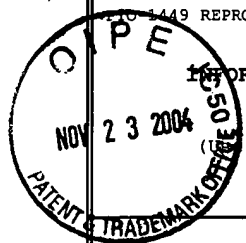
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	AT	91/09056	6/1991	WIPO			
	AU	91/18016	11/1991	WIPO			
	AV	97/01579	1/1997	WIPO			

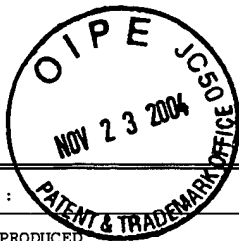
## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	AW	BRUNO, J., et al., "Molecular cloning and functional expression of a brain-specific somatostatin receptor," 1992, Proc. Nat. Acad. Sci., 89:11151-11155.
	AX	COHEN, et al., "Effects of octreotide on lipid metabolism in acromegaly," 1992, Horm. Metab. Res., 24:397-400.
	AY	DAVENPORT, et al., "Somatostatin type 5 receptors mediate the inhibitory action of somatostatin on insulin secretion in Zucker fatty rat perfused pancreas," 1995, Diabetologia, 38(supp 01):A106, abs. no. 410.
	AZ	FUKUSHIMA, et al., "Effect of simultaneous infusion of a somatostatin analogue, insulin and glucose on serum triglycerides and blood glucose levels in man," 1985, Endocrinol. Japon., 32(2):241-248.
	BA	HORVATH, A., et al., "Conformations of somatostatin analogues having antitumor activity," 1992, Peptides, p533-534.
	BB	JAMES, et al., "Carbohydrate tolerance and serum lipids in acromegaly before and during treatment with high dose octreotide," 1991, Diabetic Medicine, 8:517-523.

EXAMINER

DATE CONSIDERED





DOC ID NO.:		Sheet 4 of 4	
PTO-1449 REPRODUCED		ATTORNEY DOCKET NO. 00537/163002	APPLICATION NO. 09/423,683
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  (Use several sheets if necessary)		APPLICANT CAWTHORNE, et al.	
		FILING DATE March 20, 2000	GROUP / EXAMINER 1653/Mohamed, Abdel
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
	BC	MARTIN, et al., "Effect of a zinc phosphate suspension of a long-acting somatostatin analog on postprandial plasma glucose, triglyceride and glucagons concentration in alloxan diabetic dogs," 1984, Life Sciences, 35:2627-2633.	
	BD	NAKABAYSHI, et al., "Effect of somatostatin on the flow rate and triglyceride levels of thoracic duct lymph in normal and vagotomized dogs," 1981, Diabetes, 30:440-445.	
	BE	VAN BINST,G., et al., "Backbone modifications in somatostatin analogues: Relation between conformation and activity," 1992, Peptide Research, 5(1):8-13.	
EXAMINER		DATE CONSIDERED	